

Notice of Allowability

Application No.

10/026,514

Examiner

Negussie Worku

Applicant(s)

PILLOU, FRANCIS

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/31/06.
2. ☒ The allowed claim(s) is/are 11,13,14,16-20,23 and 24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 2/02; 5/02; 11/05
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

Negussie Worku
9/21/06

DOUGLAS Q. TRAN
PRIMARY EXAMINER

Tran Douglas

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on Feb 12, 2002; May 23, 2002 and November 02, 2005, have been reviewed the submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Reason for Allowance

2. The following is an examiner's statement of reasons for allowance: In response to the Office action dated June 30, 2005 and further to the amendments filed July 31, 2006, applicant's request in view of the amendments and/or remarks have been reviewed and respectfully considered.

Applicant's response filed on the above-indicted date shows that claims 1-10, 12, 15, 21 and 22 have been cancelled. Claims 11, 13-14, 16-20, 23 and 24 have been amended, and dependent claims 23 and 22, has newly submitted, and therefore, claims 11, 13, 14, 16-20, 23 and 24 are pending in the application.

Applicant's amendment and arguments with respect to independent claim 11, has been carefully reviewed in the light of the prior arts used to reject the application in the last Office action mailed June 30, 2005. Applicant's arguments/remarks as indicated

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on page 6 through 9, are believed to be distinct from the prior arts used to reject the application. The applicant's arguments has been found persuasive in that the prior art used against the claimed invention do not teach or disclose the claimed invention, as indicated in applicant's response page 6 through 9.

Therefore, claims 11, 13-14, 16-20, 23 and 24 are allowed for the reason the prior art searched and of record neither anticipates nor suggests the claimed invention as amended, specifically, with respect to claim 11, the prior art searched and of record neither anticipates nor suggests a scanning device for scanning register marks printed on a substrate, at least one light source illuminating a lighting area on the substrate, the lighting area being an area on the substrate crossed by the register marks, the at least one light source that illuminates the substrate at the lighting area includes means for effecting at least one modulation of at least one of intensity and color of the illuminating light during simultaneous or sequential scanning of at least two of the register marks;

a photosensitive element comprised of a plurality of pixels for receiving traveling images of the register marks wherein the traveling images are projected on a photosensitive element having a plurality of scanning portions that are successively scanned according to a predetermined scanning rate and the pixels produce electric pulses; a microprocessor connected with the at least one light source for controlling the lighting and comprising partly the means for effecting at least one modulation of the light source and for controlling the electric pulses produced by the pixels.

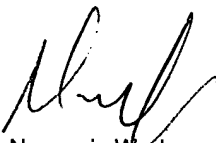
Therefore, independent claim 11 and all dependent claims (13-14, 16-20, 23 and 24) depend therefrom also allowed.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Negussie Worku
09/19/06

DOUGLAS Q. TRAN
PRIMARY EXAMINER
